

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

HUGH MAURICE ALLEN WADE

Petitioner/Defendant

v.

UNITED STATES OF AMERICA

Respondent

**CRIMINAL NO. JKB-78-0442
CIVIL NO. JKB-15-3373**

* * * * *

MEMORANDUM AND ORDER

Now pending before the Court is Mr. Wade's MOTION TO VACATE his sentence, apparently pursuant to 28 U.S.C. § 2255 (ECF No. 92). In his Motion he states, "the defendant is not contesting his guilt nor the legitimacy of the U.S. Parole Commission's decision" [recently denying him parole]. The Defendant does not contend that his conviction or sentence were illegal, nor does he allege that the Parole Commission has acted unlawfully in denying him parole. His sole contention is that the Court should, relying on its inherent authority, rule that the sentence in this case is now too harsh, and that the Defendant should be released.

Despite the Defendant's reference to a recent case in the Eastern District of New York, this Court finds no authority under which it could take the requested action. Such requests are more properly presented to the President of the United States as he alone possesses the power to commute sentences when the law otherwise does not authorize release.

Accordingly, the Defendant's MOTION TO VACATE is DENIED. The Clerk is directed to CLOSE THIS CASE.

DATED this 6th day of November, 2015.

BY THE COURT:

/s/
James K. Bredar
United States District Judge